

regulations designated as, habit forming; and the label of the repackaged capsules failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the labeling of the repackaged capsules failed to bear adequate directions for use since the directions for use "One capsule to induce sleep as directed," borne on the labeling, were not adequate directions for use.

DISPOSITION: July 28, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$100.

**3185. Misbranding of sulfadiazine tablets, Seconal Sodium capsules, and thyroid tablets. U. S. v. Frank Albright (Albright Drug Store). Plea of nolo contendere. Fine of \$150, plus costs. (F. D. C. No. 29416. Sample Nos. 61661-K, 61662-K, 61736-K.)**

INFORMATION FILED: July 7, 1950, Western District of Kentucky, against Frank Albright, trading as the Albright Drug Store, Paducah, Ky.

INTERSTATE SHIPMENT: From the State of Indiana into the State of Kentucky, of quantities of *sulfadiazine tablets*, *Seconal Sodium capsules*, and *thyroid tablets*.

ALLEGED VIOLATION: On or about September 17 and 27, 1949, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused certain quantities of the drugs to be repacked and sold without a prescription, which acts resulted in the drugs being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), all of the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and statements of the quantity of the contents.

Further misbranding, Section 502 (d), the *Seconal Sodium capsules* contained a chemical derivative of barbituric acid, which has been designated as habit forming; and when repackaged, the capsules bore no label containing the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the repackaged *sulfadiazine tablets* and *thyroid tablets* failed to bear labels containing the common or usual name of the drugs; Section 502 (f) (1), the labeling of all of the repackaged drugs failed to bear directions for use; and, Section 502 (f) (2), the repackaged *sulfadiazine tablets* bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: July 20, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$150, plus costs.

**3186. Misbranding of sulfathiazole tablets. U. S. v. Bowers' Pharmacy and Cloyce A. Bowers. Pleas of nolo contendere. Fine of \$100, plus costs, against defendants jointly. (F. D. C. No. 29112. Sample Nos. 15894-K, 15896-K, 60615-K.)**

INFORMATION FILED: April 28, 1950, Northern District of Indiana, against the Bowers' Pharmacy, a partnership, Gary, Ind., and against Cloyce A. Bowers, a partner in the partnership.